

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DEVON STREET,)	
Petitioner,)	Civil Action No. 18-103 Erie
)	
v.)	
)	Judge Susan Paradise Baxter
FCI McKEAN, WARDEN,)	
Respondent.)	

ORDER OF COURT

Susan Paradise Baxter, District Judge

Devon Street is a federal prisoner presently incarcerated at FCI McKean. Pending before the Court is his petition for a writ of habeas corpus (ECF No. 4), which he filed pursuant to 28 U.S.C. § 2241. In his petition, Street challenged the custody classification the Bureau of Prisons assigned to him. On August 10, 2018, the undersigned, then a United States Magistrate Judge, issued a Report and Recommendation (ECF No. 5) that the petition be summarily dismissed. Street's Objections to the Report and Recommendation were due by August 24, 2018. He did not file any.

On September 14, 2018, the undersigned was sworn in as a United States District Judge. This action was reassigned to this Court's docket on September 18, 2018. (ECF No. 6).

In light of the foregoing, it is HEREBY ORDERED that the Report and Recommendation issued on August 10, 2018, is converted into a final Memorandum Order. The petition for a writ of habeas corpus is summarily dismissed because Street's claim is not cognizable in a federal habeas action. The Clerk is directed to mark this case closed.

Dated: October 1, 2018

/s/ Susan Paradise Baxter
SUSAN PARADISE BAXTER
United States District Judge

cc:

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